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Kamohai (k.) vs. Kahele (w.)-On exceptions Nove from opinion of Hartwell, J., January Term, entitled to the land as against Wanson and his WHALE BOATS AND BOAT STOCK! 1873. Jury waived. S. B. Dole for Plaintiff, beirs. They are independent facts. excepting; L. McCully for Defendant. ALLEN, C. J., HARRIS and Jupp, J. J. GROCERIES, Opinion by Mr. Justice Jupp :

This is an action of ejectment for the posses- such questions, especially where land titles are Flour & Bread! sion of a part of a Kuleana of land awarded to affected; but we doubt if questions of right and one Halai; and his son, the Plaintiff, claims wrong, of good faith and honesty, would be more to have inherited the land from said Halai, who difficult for juries to decide upon, under the didied intestate in 1849. The defendant claims rection of the Court, than the questions ordinari-California Hay, under a deed from one Koa, who was Halai's ly within their jurisdiction. younger brother. At the trial the defendant pot | Believing the doctrine of estoppels by conduct Patent of the land so awarded was taken out in to administering this rule in courts of law. The Potatoes, Onions, &c. the patent. The plaintiff Kamohai and Koa, country if a principle be now adopted which will with their families, lived together on the land tend to secure these results. until 1860, when Koa sold the lot in question to We are of the opinion that this decision is in fendant, under whom she holds as his heir at law. which concts "that the defendant may give in The sale was made in the plaintiff's presence and avidence as a defence to any civil action, any Puuloa Salt Works by his active assistance. He counted out the matter of law or fact whatsoever." purchase money for Koa, went with the parties | If it shall be found that the introduction of JEFFREY & CO.'S EDINBURGH ALE. NORWEGIAN ALE, IN QUARTS AND Liebfrauenmilch, Rhine Wine!

ands-April Term, 1874.

an equitable one, should be received in a court cussion is a good illustration of this truth. sufficient to constitute an estoppel?

saction even though in furtherance of his just Bigelow vs. Foss, 59 Ib. 162. and equitable rights. Such estoppels have been **NEW STYLES OF PRINTS**

pels in pais" or "estoppels by conduct." They 51 N. H. 324, Stevens vs. Dennett. are called equitable estoppels because first recognized in Courts of Equity, which are courts of conflict, but this defence is now allowed by

dealing, are applied, and estoppels are used to unconscientious advantage of his strict legal rights." See Horn vs. Cole, 51 N. H. 187. Lord Denman thus defines them in Pickard vs. Sears, 6 Ad. & E. 469. "The rule of law is clear

that where one by his words, or conduct, wilfully Diagonal Tweeds; Silk, Linen and Cotton Hdkfs, Mosquito Netting, Heavy Silk Umbrellas, causes another to believe the existence of a certain state of things, and induces him to act ou that belief, so as to alter his own previous posi-Assortment of Clothing tion, the former is precluded from averring against the latter a different state of things, as existing at the same time."

In a recent case, decided in December, 1872, 51 N. H. 324, Stevens vs. Donnett, the Court Heavy Woolen Biankets, 3 & 4 points, all colors, esy: "A party who negligently or culpably stands by and allows another to contract on the faith and understanding of a fact which he can contradict, cannot afterwards dispute that fact in an action by or against the person whom he

pels, Chap. XIX., p. 480, and cases there cited. A Large Assortment of Fancy Goods! Whether the act or admission shall operate by Amber Crosses, Brooches, &c. Fine and Common Seissers, Fine and Common Pen and Pocket Knives.

> It is just the same as if he had told his nucle's formed. ecution of the deed, and understanding its con-

ing no rights therein.

In the large array of cases where this dectrine estoppel against Kamohai, and there is no doubt setting up his legal title against the defendant.

The second question raised by the exceptions is admissible in a Court of law. This is a question of some difficulty. The plaintiff's counsel arges that the statute of frauds is in the way; an estoppel would have the effect to create an in. sively exercised the suffrage. Ministers, who still it; but the effect of an estoppel is not to make a deed of conveyance from the plaintiff to the election of members for the coming Parliament. defendant nor in any way to make a transmission of the legal title; it goes only as far as to pre- outery. They declared that the natives should not clude the plaintiff from asserting his legal title vote for the election of white members. Public against the defendant. Bigelow Estop. 606.

title in the land and the right to convey it. He | ing prepared to meet them, the Court may make also pointed out to the surveyor the lot so pur- a rule respecting notice to the opposing party of chased, and has never until this suit laid any matters intended to be given in evidence, in orclaim for the land. Meanwhile the purchaser der to prevent surprise and to afford opportunity erected buildings and made improvements on the for preparation for trial. Section 1108 of the land, and was treated by the plaintiff as its right- Civil Code gives Courts of Record this power.

The tendency of enlightened modern legisla-The defendant claimed that the above facts tion and of courts of law, is to become more and established an equitable estoppel which would more free from the bondage of technical rules not operate to prevent the plaintiff from asserting based on principles which further justice; and his title against her, and that this defence, though the history of the particular doctrine under dis Wood, the Premier, and Mr. Thurston, the Chief

and held that it constituted a bar to the action. Hamlin vs. Hamlin, 19 Me. 141, the Court held their request, and the leader of the deputation said Whereupon the plaintiff excepted. The first that no estoppel in relation to real estate is question presented is, are the facts of this case created by verbal contracts or admissions, but in Estoppels are legal and equitable. Legal estof entry, the doctrine of equitable estoppel was residents of Levuka. Many of these not anticipattoppels are such as arise by deed or by matter of adopted and has been so uniformly ever since, in luganything serious, were attracted by idie curiosity. record and their theory is, that they preclude a that State. Stevens vz. McNamara, 36 fb. 178 : The King's advisers by this time were prepared for party from setting up the real truth of the tran. Stenchfield vs. Emerson, 52 Ib. 465, and (1871)

In New Hampshire, a State celebrated for its called "odious," and courts have required strict devotion to the common law, the cases are all pleadings asserting them and strict proof in evi-Otis; 6 N. H. 52, Morse vs. Child; 11 N. H. Equitable estoppels are such as arise from the 201, Thomas vs. Sanborn; 12 N. H. 134, Mar- His Majesty. The leaders of the mob, or rather facts of the case; they are often called "estop- shall vs. Peirce; 51 N. H. 289, Horn vs. Cole;

In New York State the cases are in some Statute. It is also law in California, Pennsyl-In equity, principles of good faith, of upright vania, and in England by Statute. In this country, where the Judges of the Su-

prevent a party from taking a dishonest and preme Court bave jurisdiction in equity, it is certainly desirable to avoid circuity of action, and we say that as this doctrine is good in equity it is good in law. The Court has been materially assisted in ar-

riving at these conclusions by the learned decision of Mr. Hartwell, lately Justice of this Court, who decided this case at nisi prins. Exceptions overruled, and judgment for the de-

fendant, to be entered as of the last day of the Term, with costs. ELISHA H. ALLEN,

CHAS. C. HARRIS. A. FRANCIS JUDD.

Pijinn Politics.

Honolulu, May 14th, 1874.

The following sketch of the recent political than action by or against the person whom he has himself assisted in deceiving." In order to an estoppel by conduct, there must have been a representation or concealment of material facts, known by the party to exist, and with the intention of inducing a party, ignorant of the facts, to the second of the facts, known by the party to exist, and with the inten-indebted for it. Mr. Murray has resided in the tion of inducing a party, ignorant of the facts, to Fifis during all the period referred to by him, and act upon the representations. Bigelow on estop-

Kamohni, the plaintiff, in effect represented to ment first met to conduct the affairs of this coun-Wanson, (k.) defendant's ancestor, intestate, try. In conformity with my instructions I have that Koa really owned the land and had the always (as was indeed my pleasure and duty.) right to sell it, and he induced Wannon to buy it. given the government whatever little support and knowing at the same time that the legal title was influence I had at my disposal. I was elected in himself. Therefore it would not be right or Member of Parliament for the Metropolitan Disequitable for him to assert the contrary, and a trict of Levuks. And in Parliament and outside, Court of Equity would not permit him to do so. I helped every administration that has been

grantee that he would never claim the land then But from the outset, as any looker on could sold, and the Court will make him keep his pro- not fail to observe, all the support that could be mise. It the case of Stevens vs. Dennett, above supplied was insufficient to make popular with referred to, it was held that " if a party claiming the foreign residents a government that was comthe right to the use of a well upon premises about menced, under extraordinary difficulties. No to be conveyed by deed, being present at the exinaugurated it. It came from the King's immetents, signs the same as a witness thereto and duate advisers, supported by the chiefs alone. does not disclose to the purchaser the fact that | Certainly the men who formed the opposition in he had any claim to the well, and if the pur- the first and second sessions of Parliament, were chaser being ignorant of the party's claim, would not capable of overthrowing a Government that not have purchased if he had known thereof, the | had the most able men for its component that the party will not be permitted, in an action against country could produce. But amongst the memthe purchaser, to set up his claim to the use of bers of the Assembly, all white men, the excluthe well, even though his omission to disclose the siveness, if not autocracy, which Ministers mainsame was only an act of gross negligence, and not tained led to great diseatisfaction. The necessities of many members inspired a desire for office. But our case is stronger; for Kamohai did not And when the last session of Parliament met merely omit to say that as the son and beir of now eight months since, Ministers found thom-Halai he alone owned the land, but he actively selves in a decided minority. They resigned assisted the selling of the land by a person hav- their seats, which resignation the King declined to accept. A dissolution of the House followed. Under the Constitution of this country framed

of estoppel by conduct has been applied, but few in 1871 Parliament consisted of two Houses. will be found where the acts and representations | The Lower House or assembly of thirty white are as clearly designed to influence the deceived members, and the Upper House fifteen native party as those of the case at Bar. We are of chiefs. The latter having no veto upon and simopinion that these facts establish an equitable | ply a sort of supervision over the acts of the former, and holding their seats for life; the former that a Court of Equity would enjoin him against following the dissolution writs were lesued for a general election, and as by our Constitution, Ministers could only hold offices, who had the confidence is, whether this defence of an equitable estoppel of the Assembly, several persons who had an eye toward supplanting those still in power, presented themselves for election.

A rigid interpretation of the Constitutional Act developed the fact, that in the various constituenwhich requires that an interest in lands be conveyed by an instrument in writing, and that such whites. The whites having up to this time excinterest in land without any written avidence of possessed the confidence of the King and natives publicly proclaimed this. And every preparation was made for receiving the votes of the latter in the

Now amongst the whites, arose a tremendous meetings were held in every direction throughout Plaintiff further objected that the evidence of this estoppel is inadmissible, as it would be admitting parol evidence to vary and contradict a in a country that belonged to the very people the.

I was attributed to the influence of Mr. Thurston,

solemn deed under seal, which is contrary to the so bitterly deceived. And it was intimated that should rules of law. But the evidence of Kamohai's the elections proceed, a war of races would comacts and representations are not offered to con-

prevented from exercising the suffrage. Supreme Court of the Hawnitan Isl- tradict the deed of Kos to Wanson, but merely At this crisis and in order as I believe to prevent to establish by parol a state of facts that will bar | bloodshed, as a temporary measure ministers susor estop Kamohai from proving and asserting by pended the elections and withdrew the write that parol that he is the son and heir of Halai and had been issued. An amended Constitution was framed by which a Nominee Ministry was to supply the place of an elective one. This passed the King in Privy Council. But it never came into force at A general objection is made to courts of law the request of Capt. Simson of H. R. M. S. Rlanche. entertaining evidence of equitable estoppels, on who had arrived in Levoks, and was assisting the the ground that it is unsafe to trust juries with government with his advice, and under menace of dents) temporarily quiet.

The British residents principally were disaffected, although some German residents here, took a leading part in the disturbances which followed. The sitting Parliament having as I have stated

been dissolved, the period for which taxes had been levied expired. And it was held by the disaffected in evidence the following facts: That in 1855 a to be just and beneficial, we can see no objection ly Mr. Hedeman, the head of a German firm, prothat they could no longer be collected. Accordingceeded to break open a bonded sture in which duti the name of Halai and remained in possession of object of Courts of law being the furtherance of able goods of his had been held, and ejected an of-Kos, who had at one time raised money by a legal justice, and to encourage fair and truthful ficer that had been detailed to make a seizure of his mortgage on a portion of the land included in dealing among men, no harm can result to the property for nonpayment of taxes. A warrant was saued for the apprehension of the parties who had ejected the officer; and Mr. Hedeman made preparation for defending his store and preventing the arrest. He fortified his store, mounted cannon, one Wanson, the deceased husband of the de- consonance with Section 1107 of the Civil Code, procured a number of fighting men whom he staloaed at various points of defence and defled the government to arrest any person upon his premises. The authorities on the other hand were equally determined. They detailed a large body of natives under command of Englishmen, to execute the warrant, to the Registrar, and informed the person who such defences, though not specially pleaded, tends and a sanguinary contest seemed imminent. Meandrew the deed of conveyance that Koa had the to put the plaintiff at a disadvantage in not be- while the German and British Consuls proceeded to the scene of conflict, and the parties being Germans who commenced the offensive operations pesceably surrendered to their Consul, who handed them over to the authorities. Thus ended this the first near approach to hostilities.

On the next day a deputation of white settlers proceeded to the Government buildings and having forced themselves into the presence of His Majesty, who was scated in the midst of His Chiefs and Mic isters, stated that they had come to ask him to dismiss the latter. Having vented a torrent of abuse upon these functionaries, and particularly upon Mr Secretary, they expressed a determination to repeat of law. The court below admitted the evidence For example, in Maine, in 1841, in the case of their visit on the following day for "a reply" to the King would be deposed in twenty-four hours if it was not granted. And on the following day ac-1848, Rangely vs. Spring, 28 Me. 127, in a writ they were accompanied by a large number of the their reception, and it is wonderful that a great slaughter did not ensue. An outpost consisting of the King's Private Secretary, and a small guard (native) was detached at about a bundred yards from the government buildings, and on the arrival of the or three persons could be permitted to approach those most determined (for the real inciters kept back in terror, when they saw a guard stationed to prevent their approach,) rushed this front guard and drove it back; then appeared a large number of

Fijians who called out for the whites to retire, and then commenced violently putting them back by the buttends of their musickles. A general mole en-sued, from which the whites made a very hasty retreat. The foremest of the politicians rushed madly back to Levuka, in the greatest consternation. The stampeds of whites was general, and ridiculous. It is wonderful, as I have said, that some dire result did not easur from this outrageous attempt to manace a rightful sovereign in his very place of habitation. But the natives behaved with extraordinary tole attom. From amounts the white these tolo attout. From amongst the whites three shots, (the only ones fired) were discharged, and one native soldier was severely wounded. Still the latter made no deadly assault but contented themselves with keeping back the refractory foreigners. And

The determination of this absurd manifestation was a great triumph for Ministers. It was seen that the government were prepared to stamp out rebellion from amongst foreign residents, and were determined that the law should prevail. A significant of the stamp of the

cant peace followed,

I should now mention that in the month of Janu-I should now mention that in the month of January, 1873, Mr. Thurston, as Chief Secretary, in consequence of an outery for annexation, had wriften to Lord Granville, Her Britannic Majesty's Secretary of State in London, stating that the Fijian Government would be prepared to treat with the English Government upon terms that might be sgreed on, or at least to listen through the King's Ministers to any proposals England might make with reference thereto. And shortly after the disturbance I have ed H. B. M. S. Pearl arrived in Levuka, and alleged was going on here. Reports I would here say more than exaggerated—in many instances made by interested parties for a base motive,—and atterly

Whether the act or admission shall operate by way of estoppel or not, must depend upon the circumstances of each case. Welland Canal Co. vs. Hathaway 8 Wend., 480, and this is the question for the Court. Manning vs. Cogan, 49 N. H. 331.

The arrival of the Royal Commissioner was halled by the whites generally, of whatever nation, with great satisfaction. The annexation cry was received with increased energy. The opponents of have taken place here. You are probably aware that it is now nearly three years since constitutional monarchy was established; since the King's Ministers. Calimmy of the most outrageous character was freely dissuminated against them, which found publication in a local journal, the Fiji Thoma. And as Commodore Goodenough kept aloo. Times. And as Commodore Goodenough kept aloof from Ministers, and it leaked out that his sympathics were against them, great was the rejoicing of their encuries, and doubt helt to be reduced to a certainty as to their reduction.

But Commodore Goodenough, who is a gentleman of great ability, appears to have been very charg of trespassing upon the limits of international law. He kept his "Halleck" in constant occupation. And much as he evidently desired, and nitimately succeeded in obtaining an office of exception.

ately succeeded in obtaining an offer of cession in the King, he never once permitted it to be to red that the country would be wrested from the native population, or that the British flag would be hoisted here unless with their full and free concurrence. In fact in conjunction with the Brilish Consult. to that effect he issued a proclamation. And this proclamation was printed in the Fijian as well this proclamation was printed in the rejain as well as English language. Moreover in Ber Majesty's ship he visited all the Islands taking with him a native interpreter who was well known to the chiefs, and who perhaps was not very favorable to the local government. Wherever they could be held there were meetings of both institutes and whites. The Commodore's mission was effectually promulgated. And it was believed that all the natives of any weight were invertable to appreciation by England.

In the meantime, the King with the advice of Ministers had requested an assemblage of all the chiefs at Bau, so island almost considered sourced to His Majesty, and where is the royal reside

His Majesty, and where in the royal residence, the caterainte object of that meeting being to determine what course should be adopted, and whether the country should be ceded or not. Thither is February all repaired, and it being infimated to Common dors (sootmong that the Fijian people would there give him their minimatum in ther Majesty's ship, and accompanied by the British Consul, to that reparendence to want. And I am bound to say, that at this little, such unifring exertions having been made to that end, every one (foreigners) religiously believed that annexation to England was wa fail accompany.

It is right that I should here remark, that I have not the slightest doubt that uninsters, at this time, whatever may have been their former proclivities, were unanimously in layor of annexation. Indeed, the arrival of the commissioners, the recent disturbances, causing, in order to maintain the public peace, a much targer expenditure of public money than would have been otherwise necessary; the externe poverty that had overtaken a large portion of our actions, who, being chiefly broken down by the failure of cotton crops, and the depression in the market for their stapic, were mashe to pay taxes in any form; the general belief that ameration to England would be erected and capital attracted hither, present circumstances had to an appulling extent driven away.—I say, all these circumstances and many others combined to convince not only all It is right that I should here remark, that I have many others combined to convince not only all those who at one time desired to see the Fijian government maintained independent and intact, but also ministers thermores, that annexation must be made, or the position of the country would be lost and total ruit prevail. I have no doubt ministers were in favor of americation. Their efforts were paralyzed. A large dobt had been contracted (28s), 000, and the treasury cheat was empty. Capitalists in Australia and New Zualand, who had advanced this loan, had presented to them the contingency of total loss. And so, therefore, I repeat, every on And as, increasing, it repeat, every one havored amountain.

Now the time had arrived when the King and chiels were to make their offer of cession. All were assembled to deliberate on the question.—King, Chief, Ministers and British Royal Commissioners.

by Mesfu, Tongan chief and a chief by right of conquest in the dark days. But I soon discovered that his statement was unworthy of bellef, and Mr. Thurston gave it shat denial. That the King and chiefs should have refused aspectation in the peremptory manner they did, appeared incredible upon the face of the general belief that they were lavorable to it. But in a letter handed to the Commodore they desired "to keep their country," admitting that the power of England could easily take it from them if that power was put forth to do so.

Violence, deterred only by the presence of Her Mojesty's ships lying in Levuka, was again threatened. The white people were farloss. The disappointment of the Commodore and British Consul was vented in proclamations based by the latter, threatening to exercise the ferrors of the toreign enlistment act upon any British subject that should venture to enter upon the military service of King Cakoban, thus at once destroying the efficacy of his small army that was officered almost entirely by Englishmen. A further proclamation cartiouing the public from sceepting drafts upon the King's treasury for moneys, had the effect of paralyzing whatever little credit the guvernment possessed. The King and his government by these means, and others of obvious annoyance, were thus placed hors de combot.

At Ban, immediately after the King refusing to

At Ban, immediately after the King refusing to At Bau, immediately after the King refusing to cede, upon the face of the tremendous difficulties that now threatened, ministers, without one dissentient, resigned their offices. And immediately upon their resignation being handed him, His Majesty carnestly desired Mr. Tourston to take office as his special and chosen adviser. That gentlemen consecuted to do so. This appears to have given great umbrage to Commodore Goodenough, who declined to receive Mr. Thurston as the King's minister, and for some time considerable coolness existed between the parties. But it was well that Mr. Thurston, medanated by the fearful apposition he would have, danated by the fearful opposition he would have, ned but to encounter, indomitably stood by the po-sition. His skill and diplomacy effected that which the combined efforts of all others failed to obtain. Mr. Thorston being sincerely, as I have said, in favor of cession, knowing that chaos and ruin must certainly follow without it, applied himself to the task. He pointed out to the King and chiefs that for want of means, from dire insultion, the independent government must fail. He suggested that an offer of the government might be made that would be the face of the government might be made that would be the king and the scenario. oner of the government might be made that would secure to the King and his people all their individual rights except that of governing those white subjects, which it was now so apparent he was without support or assistance of any kind unable to do. And he obtained the concurrence of the King and chiefs to his views.

chiefs to his views.

Then he again approached the Royal Commissioners, (although I am sorry to say he had been tesated with some considerable containely by them) and having explained to Commodore Goodecough what having explained to Commodore Goodecough what he had done, former friendly relations were resumed, and another meeting of the Kiog and Chiefs was projected. This meeting, at which all the Foreigo Cousuis, consisting of Dr. Brower, Consul for the United States, Mr. F. Hennings, Comsul for the German Empire, and myself as your Cousul, were present, and to addition Sir Charles St. Julian, Chief Justice of this Kingdom (at the special request of the King), took place. The result was a formal offer from the King and Chiefs of Fiji of a cession of the country to England, which was most courteously received by the British Commissioners. Arrangements were at once made for the carrying on cously received by the British Commissioners. Arrangements were at once made for the carrying on of a provisional government until the period when the British fing should be hoisted, and the Fijian forever withdrawn. The particulars of these formalities Your Excellency will find published in the Fijia Gazette, of which I have forwarded you copies. Immediately following this, a conference took place, consisting of the Consuls aforesaid, Commodore Goodenough and Mr. Layard, who together with Mr. Thurston, as Chief Sceretary; also the Prince, the King's eidest son, and Rathi Lavernaus, His Majesty's brother. The Chief Justice was a member of this conference. A searching inquire his Majersy's brother. The Chief Justice was a member of this conference. A searching inquiry was made into Fijian affairs, as also an entire recon-struction of the government with great reductions in the expenditure. The gentlement at the confer-ence were appointed by the King to continue the provisional mininistration, and they remain at the head of affairs until the country is taken over by Eegland. This is the political situation at the pres-ent time.

I have furnished Your Excellency at the risk of prolixity a succint statement of the progress of affairs during the last five or six stirring months, in fact since September last. At present of course there has only been made an offer of course there has only been made an offer of cossion to England. But there is no doubt that it will be accepted. I have thought it desirable to enter fully into this matter, as the experiment of Filian independence basing so far been a failure, I have thought it proper that you should have a true statement of the events that have caused it, and so much that is false is current.

Having resided in this country sloce the inauguration of the Kingdom I am prepared to offer an opinion as to the causes of failure, and having minutely noticed the actions of ministers to stale succlucity as to their integrity. Much has been said and much written against them. The pressof Australia and elsewhere has been subsidized to publish worse than fallacies, abominable untraths. The fate of Ministers is known. They are all out of office, and free from the turnoils of this stormy cubinet save Mr. Thurston, who remains in at the request of King Cakoban, with the concurrence of the royal commission, and I believe with the approbation of the foreign rounsels resident has I have furnished Your Excellency at the risk

request of King Cakoban, with the concurrence of the royal commission, and I believe with the approbation of the foreign consule resident here. Let us add that they have not received fale play here are elsewhere. In my opinion Mr. Woods, the late premier, is a thoroughly honorable and spright gentleman, of great energy and indomitable plack and perseverance. I can any so less of Mr. Thurston, still thief secretary, formerly Here Bettannic Majesty's Acting Coural here for a period of five years. And when I further state that these gentlemen have had the unremitting assistance of the King's either justice, Sir Charles St. Julian, formerly your own minister and consul-general at New South Wales, whose name must have been a household word by whose name must have been a household word in your cabinet for a number of years, and whose learning and works placed him in the highest position to Sydney, I think I could not point to a set of truer graftlemen.

truer gentlemen.

An expensive war among the native tribes, and the construction of an establishment too expensive for this colony in its depressed, and continued depressing condition, led to an absence of the alcown of war that no energy or ability could atand against.

The continued disturbances amongst the whites exof war that no energy or ability could stand against. The continued disturbances amongst the whites extended the difficulties in which misisters were plunged. These combined prejudicial tendencies were overwhelming, became they canced a withdrawal of all conflictnee from us by merchancia and capitalists at a distance, who with a secure and stable government have ever been desirous of opening up and developing our enormous resources. Thus all lands pray for annexation to any great power that would afford the protestion they require. Had the great powers recognized this government—as a government de jury as well is de facto. I believe the position would never have been so deplorable as it has eventuated.

has eventuated.

Things are at present quiet, although trade is at a stand still. Capitallists are now again turning their attention towards us, and I treat that when I again have the bonor to address you it will be my happiness to report a better state of things, latitated on a thoroughly permanent basis.

I have the honor to be, with profound respect, Your Excellency's most obedient servant. D'ARCE W. L. MURRAY.

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